

CITY OF UTICA
Department of Legislation
Common Council

January 21st, 2026

Sponsored by: Councilmember Betrus

ORDINANCE AMENDING CHAPTER 2-22 OF THE CITY OF UTICA CODE OF ORDINANCES

ORDAINED, that Chapter 2-22: Solid Waste, of the City of Utica Code of Ordinances is hereby amended by adding Section 2-22-77 entitled “Outdoor Storage Prohibited,” to read as follows:

§ 2-22-77: Outdoor Storage Prohibited

(a) Purpose and intent.

The purpose of this section is to regulate the outdoor storage of materials in residential districts in order to prevent long-term accumulation of materials in visible yards, protect neighborhood character and quality of life, reduce conditions associated with hoarding behavior, ensure unobstructed access for emergency responders, and provide clear and objective standards for enforcement. This section is not intended to regulate aesthetics, personal taste, or temporary residential activities.

(b) Applicability.

The provisions of this section shall apply to all properties located within the following zoning districts:

- (1) Residential - RS
- (2) Residential Mixed - RM
- (3) Neighborhood Mixed-Use - NMU

(c) Definitions.

For the purposes of this section, the following terms shall have the meanings indicated:

Active use means the present and ongoing use of an item for its intended residential purpose. Items not actively used shall be presumed to be in storage.

Affixed means securely anchored, bolted, or permanently installed into the ground or a structure such that removal requires tools and intentional disassembly.

Building materials means materials commonly used in construction, alteration, or repair, including but not limited to lumber, pipe, siding, metal stock, steel, aluminum, concrete products, and similar materials.

Outdoor storage or storage means the placement or keeping of items outdoors when such items are not in active use.

Recreational equipment means items designed and manufactured for outdoor residential recreation or leisure, including but not limited to outdoor furniture, play equipment, and similar items.

Visible from a public street or sidewalk means capable of being seen from a public street or sidewalk by a person standing at ground level, regardless of fencing, screening, or enclosure.

(d) General prohibition.

Except as expressly permitted herein, outdoor storage is prohibited in:

- (1) Front yards; and
- (2) Any portion of a side yard visible from a public street or sidewalk.

(e) Permitted outdoor items.

The following items may be placed outdoors in front yards and street-visible side yards if kept in working order and good repair, subject to the provisions of this section:

- (1) Outdoor residential furniture and seating;
- (2) Recreational equipment;
- (3) Decorative features;
- (4) Gardens, planters, and landscaping elements; and
- (5) Seasonal or holiday decorations, provided such decorations are removed within a reasonable period following the applicable season or holiday.

(f) Prohibited outdoor storage.

The following items shall not be stored outdoors in front yards or street-visible side yards under any circumstances:

- (1) Building materials;
- (2) Loose toys
- (3) Vehicle parts or components;
- (4) Appliances or appliance parts;
- (5) Pallets;
- (6) Scrap, salvage, or reclaimed materials; and
- (7) Items not designed or manufactured for outdoor residential use.

Screening, fencing, or enclosure shall not exempt prohibited items from the requirements of this subsection.

(g) Non-affixed items.

Non-affixed items permitted under subsection (e) shall not remain outdoors when not in active use and shall be removed or stored in a lawful location when not in use.

(h) Exemptions.

This section shall not apply to:

- (1) Yard sales conducted in compliance with applicable City regulations;
- (2) Construction activities conducted pursuant to a valid permit, for the duration of permitted work;

- (3) Waste and recycling containers placed in compliance with City collection standards; and
- (4) Temporary placement of items during moving or similar residential activities, not to exceed a reasonable duration.

(i) Enforcement.

Violations of this section shall be subject to enforcement in accordance with the codes enforcement procedures of the City of Utica. Enforcement shall prioritize voluntary compliance through notice and reasonable opportunity to correct violations prior to the issuance of citations or penalties.

FURTHER ORDAINED, that this Ordinance shall take effect immediately.

Yeas: Aiello, Burmaster, Betar, Carcone, Betrus, Wasielewski, Colosimo-Testa, LoMedico – 8

Nays: 0

Adopted.

STATE OF NEW YORK, CITY OF UTICA)
City Clerk's Office) ss.

) I hereby certify that I have compared the foregoing copy of an Ordinance of the Common Council with the record of proceedings of the Common Council of said City of Utica, duly made and on file in this office, and that same is a correct transcript therefrom and of the whole of said Ordinance.
In TESTIMONY WHEREOF, I hereunto affix the Corporate Seal of said City, and subscribe my name, this 22nd day of January, 2026

Melissa R. Sciortino, *City Clerk*